IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 369 OF 2006

Rajesh @ Batla Vijay Saroj ...Applicant.

V/s

The State of Maharashtra ...Respondent.

Ms. Anjali Patil for the applicant.
Mr. R.Y. Mirza, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 17th March, 2006

P.C.:

1. Heard the learned Counsel for the applicant and the learned APP for the State.

2. The applicant was arrested in connection with C.R. No. 166 of 2004 registered at Kapurbawadi Police Station for the offence punishable under sections 451, 452, 323, 504, 506, etc of the Indian Penal Code and under the provisions the Arms Act.

3. It is submitted by the learned Counsel appearing on behalf of the applicant that even other co-accused who had been identified and from whom recovery of cash was made have been released on bail. The present applicant is the only accused who has remained in jail. There is a discrepancy in the manner in which

the identification parade was held by the Special Executive Magistrate. It is submitted that the applicant is in jail since 8/11/2004.

4. Considering the fact that other co-accused have been released on bail and that the charge-sheet has been filed, the applicant be released on bail in the sum of Rs 15000/- with one or two sureties in the like amount. He shall report to Kapurbawadi Police Station, twice in a month.

5. Application is accordingly disposed of.

V.M. KANADE, J.